

REPORT TO: Audit and Governance Committee

MEETING DATE: 11 June 2013

BY: Executive Director (Services for Communities)

SUBJECT: Housing and Environment Risk Register

1 PURPOSE

- 1.1 To present to the Audit and Governance Committee the Housing and Environment Risk Register (Appendix 1) for discussion, comment and noting.
- 1.2 The Housing and Environment Risk Register has been developed in keeping with the Council's Risk Management Strategy and is a live document which is reviewed and refreshed on a regular basis, led by the Housing and Environment Local Risk Working Group (LRWG).

2 RECOMMENDATIONS

- 2.1 It is recommended that the Audit and Governance Committee notes the content of the Housing and Environment Risk Register.
- 2.2 In doing so, the Audit and Governance Committee is asked to:
 - note that the relevant risks have been identified following appropriate consultation with all risk contacts;
 - recognise that while this report has been compiled by the Risk Officer, the Risk Register has been compiled by the Housing and Environment LRWG and the Head of Housing and Environment has lead responsibility;
 - note that the significance of each risk is appropriate to the current nature of the risk;
 - note that the total profile of the Housing and Environment risk can be borne by the Council at this time in relation to the Council's appetite for risk; and,
 - recognise that, although the risks presented are those requiring close monitoring and scrutiny throughout 2013, many are in fact longer term risks for Housing and Environment and are likely to be a feature of the risk register over a number of years.

3 BACKGROUND

- 3.1 The Council's Risk Management Strategy was established following Audit Scotland's 2008/09 review of the Council when it was recommended that: "The implementation of the risk management framework be expedited and target dates established".
- 3.2 Responsibility for Risk Management sits within the Corporate Policy and Improvement unit. The Emergency Planning and Risk Manager, supported by a Risk Officer, has implemented the current Risk Management Strategy and set up both an

overarching Corporate Risk Management Group (CRMG) together with LRWGs in service areas.

- 3.3 The LRWGs meet on a regular basis to discuss their Risk Register which is also included as a topic in team meetings. They also feed information to the CRMG; this Group is fundamental to the delivery of risk management throughout the Council and ensures that risk management remains high on the corporate agenda.
- 3.4 All LRWG's were revised following the Senior Management and Service restructure of 2012 resulting in eight Risk Registers/Groups being reduced to seven.
- 3.5 A copy of the risk matrix used to calculate the level of risk is attached as Appendix 2.

4 POLICY IMPLICATIONS

- 4.1 In discussing and noting the Housing and Environment Risk Register the Committee will be affirming the process of embedding risk management principles across the Council in support of the Risk Management Strategy.

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 This report is not applicable to the well being of equalities groups and an Equalities Impact Assessment is not required.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – It is the consideration of the Housing and Environment LRWG that recurring costs associated with the measures in place for each risk are proportionate to the level of risk. The financial requirements to support the Housing and Environment Risk Register for 2013/14 should be met within the proposed budget allocations for 2013/14. Any unplanned and unbudgeted costs that arise in relation to any of the risks identified will be subject to review by the Board of Directors.
- 6.2 Personnel – There are no immediate implications.
- 6.3 Other – Effective implementation of this register will require the support and commitment of the Risk Owners identified within the register.

7 BACKGROUND PAPERS

- 7.1 Appendix 1 – Housing and Environment Risk Register
- 7.2 Appendix 2 – Risk Matrix

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DESIGNATION	Risk Officer
CONTACT INFO	01620 827900
DATE	30 May 2013

Housing and Environment Risk Register

Date reviewed: 29th May 2013

Risk ID No. & Status S/C/N (same, changed, new)	Risk Description (Threat/Opportunity to achievement of business objective)	Risk Control Measures (currently in place)	Assessment of Current Risk			Planned Risk Control Measures	Assessment of Residual Risk [With proposed control measures]			Risk Owner	Timescale for Completion / Review Frequency	Single Outcome Agreement Outcome Number Link	Evidence held of Regular Review
			Likelihood (Probability)	Impact (Severity)	Risk Rating		Likelihood (Probability)	Impact (Severity)	Residual Risk Rating				
			L	I	L x I		L	I	L x I				
H&E 1	The impact of climate change i.e. severe weather causing high instances of dangerous buildings and the continuing financial recession that reduces owners' abilities to repair and maintain their properties has resulted in a higher enforcement workload. Not having the resources to increase staffing levels, where necessary, to meet enforcement duties and therefore not being able to maintain a safe environment. When severe weather results in numerous incidents all surveyors are diverted to emergency duties which impacts on the normal day to day Building Standards duties and therefore performance targets. Failure to enforce and control dangerous building incidents would endanger the public and in the worst case could lead to fatalities.	Climatic and financial factors are outwith East Lothian Council's control. No contractual obligation for staff to provide an out of hours dangerous buildings service which therefore relies on the goodwill of the BS Manager and two Principal BS Surveyors to provide cover outwith office hours.	4	5	20	Carry out a Service Review is to consider : <ul style="list-style-type: none"> the appointment of an enforcement surveyor, and the provision of a contractual arrangement for fulltime cover for dangerous buildings callouts outwith office hours. 	4	4	16	Building Standards Manager	October 2013	9	
H&E 2	Abolition of priority need in 2012 has placed an obligation on the council to accept an additional 250 to 300 homeless cases per year as having a full re-housing right and also an obligation for the provision of temporary accommodation until that responsibility is delivered.	None - action totally out of LA hands, limited lobbying possible via COSLA / Scottish Government. Meetings being held with Scottish Government to raise awareness of East Lothian issues. Use of Private Sector increased significantly. Housing Options approach implemented April 11, reduction in homeless assessments but not enough to make 2012 attainable.	4	5	20	New homeless prevention approaches to be introduced. Further development of Housing Options approach.	4	4	16	Homelessness Manager	Reviewed annually	6, 10	Review 2012/13 – 13% reduction in homeless assessments.
H&E 3	Failure to adequately develop the Prevention role will lead in conjunction with the changes in legislation in 2012 to a position where the council will face significant re-housing demands which cannot be met from existing public sector demand. Additional concerns also exist about the private sector being able to make significant impacts on this demand due to stock structure, as most of latent demand is for 1 bedroom sized properties.	1. Further development of prevention role to reduce direct demand for homelessness service 2. Quarterly review of Homeless service includes assessment of prevention activity and outcomes 3. 2012 group identified need to raise impact of prevention 4. Increasing use of private rented sector via Rent Deposit Scheme 5. Review and comparison of benchmark authorities prevention activity 6. Continued Monitoring of RSL nomination process (new build and routine turnover) Meetings held with Scottish Government to raise awareness of East Lothian issues.	4	5	20	Continue new build activity. Increased use of Private Sector for all cases.	4	4	16	Homelessness Manager	Reviewed annually	6, 10	Review 2012/13 – 13% reduction in homeless assessments Increased use of Rent Guarantee Scheme to prevent/ deal with homelessness. Access mostly by older single people or families.

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H&E 4	Failure to obtain adequate funding for Repairs and Renewals programme could have the possible consequence of a failure of building elements with the risk of closure or enforcement by Statutory or Regulatory authorities.	Annual update of programme of works based on Condition, Suitability and Statutory Compliance assessments to inform budget requirement.	4	5	20	Ensure Condition and other data is maintained up to date to inform the planned delivery of works required to ensure buildings comply with statutory and legal requirements and are maintained in good condition.	2	5	10	Manager, Projects, Estates & Asset Management	Reviewed annually		
H&E 5	Proposed changes/changes already made to DWP Benefits systems incl. Housing benefit and the proposal to raise age for single room rate to 35 will reduce Private Sector options for a significant group of clients.	Action totally out of ELC hands, work ongoing with COSLA and Scottish Government etc. New LHS trying to address this issue. Housing options impact has reduced overall demand for homeless assessments.	4	4	16		4	4	16	Homelessness Manager	Reviewed regularly	6, 10	Review 12-13 outcomes decline in 1 bed-roomed Private sector rent deposits. Increase in B&B usage from Jan 2013 onwards. Impact of housing options has reduced overall demand for homeless assessments and impact from to 4.
H&E 6	Improve access to Private Sector. In order to meet 2012 requirements the Council will have to access accommodation from the private sector but a number of potential problems exist which may affect/or negate the impact of such action including the proposal to raise age for single room rate to 35 from 2012 which will reduce Private Sector options for a significant group of clients.	DWP Changes - None. Totally out of LA hands, limited lobbying possible via COSLA / Scottish Gov Increased use of rent deposit – underway and intended to continue Unknown impact of increased use of prevention approach but expected to mitigate demand slightly.	4	4	16		4	4	16	Homelessness Manager	Reviewed regularly	6, 10	Increased use of Rent Guarantee Scheme to prevent/ deal with homelessness. Access mostly by older single people or families.
H&E 7	Impact of budget reductions at a time when from 2012 the homeless unit has a full re-housing responsibility for approx 300 additional cases per year and an indefinite temporary accommodation responsibility for these applicants until houses. It is not clear that budget reductions could be maintained without resources to direct services being affected.	Increase use of homeless prevention and housing options to reduce direct demand for homelessness service Increased use of private sector via Rent deposit scheme and other options. Service charges reviewed, including rent for temporary accommodation to increase income and implemented.	4	4	16	Review of partnership/ SLA arrangements to identify areas of key or core responsibilities with measurable outcomes.	4	4	16	Homelessness Manager	Reviewed annually	6, 10	Review 2012/13 – 13% reduction in homeless assessments. Increased use of Rent Guarantee Scheme to prevent/ deal with homelessness. Access mostly by older single people or families. Increase in B&B usage from Jan 2013 onwards.

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H&E 8	<p>Loss of fee income from building warrant applications due to the downturn in the construction industry caused by the continuing financial recession.</p> <p>Loss of fees could result in the reduction of staffing levels while a backlog of inspection work still needs to be undertaken.</p> <p>This would cause delays in appraisal of building warrants and inspections for completion certificates which would impact on business, safety and the environment.</p> <p>A reduction in staffing levels, due to continuing recession, would impact on performance and when the recession lifts an increase in construction could not be serviced by current staffing levels.</p>	Monitoring of workload to fee income, performance to staffing levels and project complexity to staff abilities and training.	4	4	16	Measure impact of BSD's new performance framework, workload, employee costs for appraisal of warrants, acceptance of completion certificates and enforcement duties for varying project size and complexity to compare against fee income. Thereafter, carry out a Service Review to take into account all factors and so determine optimum staffing levels.	3	4	12	Building Standards Manager	October 2013	9	
H&E 9	<p>Obligation to provide temporary accommodation to all homeless people who require it either until re-housed or until advice and assistance obligations are met.</p> <p>The 2012 abolition of priority need has meant that for an additional 300 cases, out legal obligations to provide accommodation will move from providing accommodation for around 45 days to an obligation to provide accommodation for a further 300 applicants indefinitely until re-housing is achieved.</p>	<p>1. Further development of prevention role to reduce direct demand</p> <p>2. Quarterly review of Homeless service includes assessment of:</p> <ul style="list-style-type: none"> • Allocations and time from re-house decision to case closure • New Build activity monitored via Housing development and within allocation statistics in quarterly review • Turn over in temporary accommodation • Costs and time in B and B accommodation • Monthly snap shots on B and B use <p>3 Housing Development and Community Housing manage new build activities to maximise re-housing opportunities for homeless families either direct into new build or into houses vacated by filling the new build</p> <p>4 HAG grant coordinated by Housing Development, nominations activities managed by homeless team to maximise homeless allocations into RSL properties</p> <p>5 50% homeless nominations into RSL general need properties</p> <p>5 Increasing use of private rented sector via Rent Deposit Scheme</p> <p>6 Development of new temporary accommodation strategy</p> <p>7 B and B Service Procured</p>	4	4	16	<p>1. Implementation of new temporary accommodation strategy underway.</p> <p>2. Continue new build activity.</p> <p>3. Continued Monitoring of RSL nomination process (new build and routine turnover).</p> <p>4. Raise awareness of central Government to East Lothian Issues.</p> <p>5. Increased use of Private Sector for all cases.</p>	4	3	12	Head of Housing and Environment	Reviewed annually	6, 10	Review 2012/13 – 13% reduction in homeless assessments Increase in B and B use since legislative change in December 2012

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H&E 10	<p>Welfare reform</p> <p>The UK Government is introducing a range of measures to reform the welfare system and reduce the budget for welfare benefits by at least £11 billion annually. It has been estimated (Scottish Local Government Forum Against Poverty, Sept 2010) that the changes could result in the loss of £8m - £9.5m annually from welfare benefits paid to East Lothian residents.</p> <p>The changes could lead to:</p> <ul style="list-style-type: none"> • Increase in rent arrears from reduced Housing Benefits and possible increase in evictions • increased pressures on tenancy support and rent collection teams • increase in homeless presentations, placing even more pressure on already stretched resources for temporary accommodation • increase in Council Tax arrears and non-payment of Council Tax • increase in caseload for Adult Wellbeing and Children's Wellbeing staff dealing with vulnerable people affected by cuts in benefits • increase in caseload and demand for services from the Welfare Rights Service • loss of income the Council currently receives for administering Housing Benefits 	<p>The Council has received several update reports on the impact of welfare reforms and the Council's response and will continue to be updated.</p> <p>The Council has established a Welfare Reform Task Group to plan for the changes to the welfare system. The Task Group has four work streams:</p> <ul style="list-style-type: none"> • Communications • Data Sharing • Training • Migration <p>The Task Group and work streams are meeting regularly and will continue to report back to the CMT. The 2011-12 Council budget reflects the need to build on the early intervention approach which tackles the root causes of poverty, to protect services which can prevent individuals and families from falling into poverty, or help them to manage their household income. Initiatives include:</p> <ul style="list-style-type: none"> - The protection of grant funding to support tackling poverty work (see 'Fairer East Lothian Fund' below) - The expansion of the free school meals to P1-3 in some primary schools - Funding identified in relation to the Homelessness 2012 targets - Creation of two new additional Tenancy Support Officer posts to deal with tenancy sustainment and rent arrears <p>The Council endorsed the work of the Tackling Poverty Theme Group to refocus the work of the group on a single headline outcome: 'Fewer People in East Lothian will experience poverty'. The Fairer East Lothian Fund (£476,000 in 2011/13) funds projects to deliver on the following key outcomes:</p> <ol style="list-style-type: none"> 1. Fewer people in East Lothian will be financially excluded. 2. Financial capability in East Lothian will be improved. 3. The life chances of people at risk of falling into poverty, or already living in poverty, will be improved. 4. People in East Lothian will have better access to advice and information services, including debt and money advice. 	4	4	16	<p>The Council's Welfare Reform Task Group and four work streams will develop a detailed action plan that will ensure the Council takes necessary measures to prepare for the changes in the welfare system.</p> <p>A Tackling Poverty Strategy and Action Plan is being prepared detailing how the Council and the Community Planning Partnership aims to achieve the outcome: 'Fewer People in East Lothian will experience poverty'. The Fairer East Lothian Fund in 2013/14 will be used to assist in achieving the Strategy and Action Plan.</p>	4	3	12	<p>Board of Directors</p> <p>Welfare Reform Task Group</p>	<p>Risk to be reviewed December 2013</p>	6, 10	

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H&E 11	SG have revised their funding regime and there is a single funding source for both Council and RSL affordable housing programmes. Resource Planning Assumptions (RPAs) have now been announced for the 2015/16 – 2017/18 programme. This is a much reduced programme which will present challenges in the delivery of affordable housing. RSLs are experiencing difficulties in securing private finance in current lending markets to fund development and welfare reform could further impact negatively on the ability of RSLs to secure private finance due to loss of secure income stream. The Council has also reduced funding for its own new build affordable housing programme.	The Council is in discussion with RSLs and other organisations about delivering non social rent affordable housing models without grant.	5	3	15	Continue discussions with RSLs RE alternative financial and tenure models.	5	3	15	Housing Strategy and Development Service Manager	Ongoing Review	10	
H&E 12	Insufficient land in control of affordable housing providers due to limited amount of Council owned land and difficulty in competing on the open market to purchase land due to high land prices. Much of land in East Lothian tied up in options to private housing developers, leading to an inability to control provision of new affordable housing and reliance on planning policy for affordable housing to deliver land.	The Council is in discussion with various developers to bring forward additional land/projects wholly for affordable housing.	5	3	15	Continue to pursue opportunities to acquire land/bring forward private projects for affordable housing.	5	3	15	Housing Strategy and Development Service Manager	Ongoing Review	10	
H&E 13	Increase in fuel poverty due to a variety of factors: <ul style="list-style-type: none"> - Increase in fuel prices - Impact of welfare reform - Changing householder economic/financial situation This will make it difficult to meet the Scottish Government's target to eradicate fuel poverty by 2016 and is likely to place additional pressure on existing services.	Free insulation scheme in place Energy advice and fuel debt support in place Increasing energy efficiency standards in council housing stock	5	3	15	Provide a Home Energy Scotland Area Based Scheme Continue to provide energy advice and fuel debt support Promote collective fuel switch	4	3	12	Housing Strategy and Development Service Manager	June 2013	6, 10	

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H&E 14	Reliance on private sector to deliver land for housing in difficult economy - Private sector own/have legally binding contracts in place for the significant land allocations in East Lothian (4800 units to be delivered across 6 sites, 1200 affordable). Current economic conditions including difficulty in private businesses accessing credit and difficulty in potential house purchasers accessing mortgages mean that private developers do not want to develop sites or if they do, they wish to do this slowly. If private developers do not want to develop sites, no affordable housing will be delivered and the area will not benefit from this economic activity. The infrastructure required to bring forward sites is also causing private developers concern as funding available to them is not sufficient to deliver these requirements.	The Council continues to work with all developers in East Lothian to meet and discuss site specific issues in relation to delivery with a view to developing arrangements to unlock housing development	5	3	15	Continue discussions with developers. Review the Council's Affordable Housing Policy.	5	2	10	Head of Housing and Environment Housing Strategy and Development Service Manager	Ongoing Review	10	
H&E 15	Failure to comply with Statutory Electrical Testing may expose the Council to legal proceedings, financial loss and service reduction, damage to its reputation and potential injury or loss of life of building users. Failure to make sufficient finance available to carry out testing and implement recommendations may result in all of the above.	Performance will be monitored through the Condition SPIs, Asset Performance monitoring and regular Electrical Test results.	3	5	15	Accelerate programme for testing.	2	5	10	Manager, Projects, Estates & Asset Management	Tender prepared for increased testing in 2013. Contractors' reports reviewed on ongoing basis.	9, 10	
H&E 16	Failure to comply with statutory Water Hygiene Testing may expose the Council to legal proceedings, financial loss and service reduction, damage to its reputation and potential injury or loss of life of building users through Legionella. Failure to make sufficient finance available to carry out testing and implement recommendations may result in all of the above.	Performance will be monitored through the Condition SPIs, Asset Performance monitoring and regular Water Test results.	3	5	15	Accelerate programme for testing.	2	5	10	Manager, Projects, Estates & Asset Management	Framework available 2013. Annual review Contractors' reports reviewed on ongoing basis.	9, 10	
H&E 17	The continued absence of a definitive electronic database for the recording of all antisocial behaviour cases reported directly to the local authority. This prevents the council from providing comprehensive reports with regard to the action taken within the context of antisocial behaviour cases. This would present a problem if the council was asked to supply detailed figures to external parties such as the Housing Regulator. This may have a negative impact on the council's reputation and lead to a detailed audit	The trialling of the Community Action Solution, a sub-system of the Orchard Housing database.	5	3	15	The full implementation of the Community Action Solution by the end of July 2013.	2	2	4	Safer Communities Team Leader	End of July 2013	8	

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	of the Safer Communities Team's work.												
H&E 18	Financial constraints placed on the Council could lead to the Building Standards Team not being able to maintain a level of staff that is adequately qualified, trained and competent to carry out the Building Standards duties of verification, enforcement, licensing etc. to the targets expected BSD's new performance framework. This could impact on service levels and result in an audit by the BSD that could lead to the Council losing the verification role.	Monitoring of workload to fee income, performance to staffing levels and project complexity to staff abilities and training. Involvement with the Local Authority Building Standards Scotland (LABSS) and the BSD to influence delivery of the new performance framework of 9 performance outcomes and a risk based inspection regime for Reasonable Inquiry to deliver compliance with the building regulations. Preparation of the Building Standards Team and review of its resources to align with the requirements and implementation of the new performance framework.	3	4	12	Measure impact of BSD's new performance framework, workload, employee costs for appraisal of warrants, acceptance of completion certificates and enforcement duties for varying project size and complexity to compare against fee income. Thereafter, carry out a Service Review to take into account all factors and so determine optimum staffing levels.	3	4	12	Building Standards Manager	December 2013	9	
H&E 19	The Scottish Government's Building Standards Division (BSD) introduced a new performance framework for Building Standards on 01.10.2012 to help deliver a more customer focused service with the emphasis moving from building warrant appraisal to inspection to deliver compliance on site through reasonable inquiry. The performance framework contains more stringent targets for the appraisal and handling of building warrants and completion certificates. It also introduced targets for reasonable enquiry through risk based approach that incorporates more site inspections, testing regimes, certification, increased enforcement role etc. The performance framework is used to assess Local Authority Verifiers to determine if they are delivering an acceptable Building Standards service fully utilising the fees generated from warrant applications. Not having the resources to increase staffing levels to meet the requirements of the new performance framework, especially increased number of site inspections and recording of findings, will result in an audit by the BSD that could lead to the Council losing the verification role.	Introduction of Enterprise software to allow real time monitoring of warrant appraisal data per BS Surveyor, which is to be extended to monitor site inspection processes. Uniform adapted to produce data for quarterly and annual performance data for BSD. Uniform adapted to produce automatic construction inspection plans (CCNPs) for differing Domestic properties, which is to be extended to Non-domestic properties. Building Standards Team currently being trained in the new performance framework, targets and Uniform and Enterprise systems.	3	4	12	Measure impact of BSD's new performance framework, workload and staff costs for appraisal of warrants, acceptance of completion certificates and enforcement duties for varying project size and complexity to compare against fee income. Thereafter, carry out a Service Review to take into account all factors and so determine optimum staffing levels. A review of the Team's resources is to be undertaken to align with the new performance framework and implementation of the required procedures and targets including monitoring of workload to fee income, performance to staffing levels and project complexity to staff abilities and training.	3	4	12	Building Standards Manager	October 2013	9	
H&E 20	Lack of accessible housing to meet needs of current and projected population leading to inability to meet needs of customers. Could lead to pressure on care and health services as customers remain in inappropriate housing and require	Strategic planning for housing Strategic planning for social care	4	3	12	Implementation of strategic plans	3	3	9	Housing Strategy and Development Service Manager	31/3/14	5, 10, 11	

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	additional inputs to sustain them. Likely increase in funding for adaptations will be required to make best use of existing stock to meet customers' needs.												
H&E 21	Our houses are required to meet The Scottish Housing Quality Standard by 2015, the target set by Scottish Ministers. Delivery of the Standard is a significant contribution to the achievement of several of the National Outcomes the Scottish Government aims to achieve. The Scottish Housing Regulator is now closely monitoring progress towards achieving the SHQS target by 2015 and failure to clearly demonstrate good progress towards achieving the SHQS target may involve direct intervention by the SHR on the management of stock quality. Failure to deliver on the SHQS would also lead to loss of reputation to council as a service provider and the largest landlord in East Lothian.	Standard Delivery Plan submitted and approved [2006]. Annual SPI monitoring and reporting to SHR and Audit Scotland. Annual Housing Capital Investment Programme review. The Capital Programme funds planned programmes of work targeted at meeting the requirements of the SHQS. Updated Stock Condition Survey [Feb 2011] to maintain robust stock condition data to inform updates to the SHR and to clearly demonstrate the planned delivery of works required to achieve the SHQS by March 2015 Private Sector Housing Strategy - Scheme of assistance in place.	3	4	12	Monthly monitoring and reporting as part of Balanced Scorecard. Continued investment of £7 million per annum in targeted capital programme works.	2	4	8	Executive Director (Services for Communities) Housing Strategy and Development Service Manager	Annual	10	
H&E 22	Failure to comply with Control of Asbestos at Work Regulations could lead to a risk of prosecution. Inclusion of Housing surveys has significantly increased workload.	Policies and procedures in place and administered by Asbestos Manager in accordance with statutory requirements.	3	4	12	Review current systems meantime with review to put in place alternative methods of accommodating increased workload.	2	4	8	Manager, Projects, Estates & Asset Management	Review and implement by end 2013.	9, 10	
H&E 23	Failure to meet timescales for providing responses to planning applications on behalf of Education may delay process and risk appeals from developers and applicants.	S75 Policy and process in development. Team roles and responsibilities identified.	3	4	12	Regular monitoring of planning applications and responses. Programme resource to respond to strategic site infrastructure requirements as part of the planning process.	2	4	8	Manager, Projects, Estates & Asset Management	Reviewed monthly	9, 10	
H&E 24	Asset data for operational properties is not current resulting in a failure to return SPI data and insufficient information to prioritise planned investment in buildings.	Annual desktop updates carried out.	3	4	12	Allocate resources, internal or external as required to carry out comprehensive 5 yearly reviews.	2	4	8	Manager, Projects, Estates & Asset Management	Reviewed monthly	9, 10, 11	
H&E 25	Failure to comply with Fire Safety Regulations 2006 - failure to carry out suitable risk assessments and implement requisite improvement works in operational properties and to take reasonable steps to minimise the risk from fire resulting in fire incident and injury with risk of prosecution. If sufficient resources are not allocated to this area of work, the	Programme of Fire Risk Assessments underway based on priority to minimise risk.	3	4	12	Prepare Fire Safety Plans for all assets. Involve Corporate Health and Safety in addressing the management aspects of Fire Risk.	2	4	8	Manager, Projects, Estates & Asset Management	Reviewed monthly	9, 10	

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			L	I	L x I		L	I	L x I				
	Council may be exposed should there be an incident and it was established that had the Council acted upon the Fire Risk Assessment recommendations, the impact of the incident would have been reduced. Fire incidents can result in loss of life, injury to people and property, constraints upon activities within premises, with consequent costs, loss of reputation etc.												
H&E 26	Not being able to keep staff up to speed on constantly changing Building Regulations and Technical Standards that would result in the inability to fulfil the Building Standards function. New legislation introduced in 2013 requires enforcement of Energy Performance Certificates for new and existing buildings will add to this problem.	Monitoring of workload, performance, staffing levels and project complexity to staff abilities and training.	3	4	12	Carry out a Service Review to take into account the changes to Building Regulations, Technical Standards and Legislation to ensure training aligns with changes and will determine optimum staffing levels.	2	4	8	Building Standards Manager	October 2013	9	
H&E 27	Failure to Comply with DDA and the failure to provide sufficient and suitable access to facilities for disabled persons could result in compensation claims from service users on grounds of discrimination, as well as adverse local publicity. Failure to provide sufficient budget to implement improvements to meet requirements.	Problems being addressed within limited budget as far as possible.	4	3	12	Prepare comprehensive action plans for implementation.	2	3	6	Manager, Projects, Estates & Asset Management	Ongoing - quarterly	10	
H&E 28	Failure to acquire appropriate property or rights over property due to unwilling seller, lack of enough funding or lack of appropriate property would result in a delay to or inability to deliver affordable housing projects.	Ensure staff experienced/trained in negotiating, accurate valuation to ensure availability of correct funding in budget.	3	4	12	Try to set up appropriate arrangements to make CPO viable, set up group to discuss CPO's	3	2	6	Manager, Projects, Estates & Asset Management	Ongoing review	10	
H&E 29	There is a high likelihood of the Local Housing Strategy being out of date due to fast-changing social and economic environment leading to incorrect interventions to deliver outcomes. Incorrect interventions will waste scarce staff and financial resources and may deliver the wrong products and services for residents.	Comprehensive review of LHS annually	4	3	12	Put in place a revised Action Plan if required following the annual review	3	2	6	Housing Strategy and Development Service Manager	31/7/13	10	
H&E 30	The impact of health and social care integration on housing services is an area of risk which needs to be further clarified when there is a full understanding of the services being integrated and how these will be organised. It must be ensured that existing working arrangements and protocols in place internally and	Housing Representative to contribute/participate in Group taking this forward.	4	3	12	Engagement in integration development process	2	2	4	Head of Housing and Environment Housing Strategy and Development Service Manager	Ongoing	5, 10	

Risk ID No.& Status S/C/N (same, changed, new)	Risk Description (Threat/Opportunity to achievement of business objective)	Risk Control Measures (currently in place)	Assessment of Current Risk			Planned Risk Control Measures	Assessment of Residual Risk [With proposed control measures]			Risk Owner	Timescale for Completion / Review Frequency	Single Outcome Agreement Outcome Number Link	Evidence held of Regular Review
			Likelihood (Probability)	Impact (Severity)	Risk Rating		Likelihood (Probability)	Impact (Severity)	Residual Risk Rating				
			L	I	L x I		L	I	L x I				
	externally remain intact during any transition period to ensure that 'whole system' works to provide services to residents. If this is lost there is a danger of services not been delivered to residents when required. There is also a need to ensure that the contribution of housing services, in the widest context, is maximised within any future planning and delivery, given organisational arrangements may change												
H&E 31	Failure to carry out Solid Fuel safety on all Solid Fuel Installations in ELC Housing Properties leading to potential CO poisoning of tenants and risk of prosecution.	Programme of Solid Fuel Servicing in place for all ELC housing properties. Heating replacements to alternative fuels ongoing. Central Heating Team monitoring Solid Fuel safety. Chimneys regularly swept and maintained and removed where found to be breached or unsafe. Competent contractors carry out all Solid Fuel servicing. Continue to service all properties. Check and replace installations on an ongoing basis. Report any issues or actions required at monthly Management Group meetings.	3	4	12	Complete programme for removal and replacement of solid fuel systems.	0	0	0	Manager, Projects, Estates & Asset Management	By end of 2015 subject to tenant agreement.	9, 10	
H&E 32	A major outbreak of food poisoning or a public health incident could result in serious illness or fatalities to the public. This would impact on public and business confidence within East Lothian. There would also be a reputational risk for the Council if the incident response was unsatisfactory. There would also be significant media interest (local & national). There could also be a public enquiry/formal investigation into the incident which would impact on the deployment of Council resources to carry out day to day work. Any enquiry/investigation could run for several years. There may also be third party insurance claims against the Council.	Currently risks are controlled through a food safety inspection programme and associated enforcement action where controls have broken down or have been breached. There is a rigorous monitoring of water supplies. This is conducted by a trained and competent food safety team. The business plan and inspection process are reviewed annually. Established liaison/ incident response arrangements with NHS Lothian. The Council has a major incident plan which may be activated.	2	5	10		2	5	10	Food Safety Manager		1, 5	
H&E 33	A number of common repair projects (Work Notice) remain un-invoiced and if final accounts cannot be agreed with owners, the Council is at risk from significant bad debt. If new Work Notice projects are not managed effectively then there could be significant reputational damage done to the Council.	For new projects East Lothian Council is reiterating that it is the owner's responsibility to work with their neighbours to agree a common way forward. For new Work Notices, a cross-service team has been established to define the scope of works and the enforcement action will be overseen by Environmental Health.	5	2	10	A project team is being established to finalise the accounts of existing projects and engage with owners to progress payment. This team will consist of professionals from Housing, Finance and Property and will report to the Head of Housing and Environment.	2	2	4	Head of Housing and Environment Housing Strategy and Development Service Manager	Reviewed monthly	10, 11	

Risk ID No. & Status S/C/N (same, changed, new)	Risk Description (Threat/Opportunity to achievement of business objective)	Risk Control Measures (currently in place)	Assessment of Current Risk			Planned Risk Control Measures	Assessment of Residual Risk [With proposed control measures]			Risk Owner	Timescale for Completion / Review Frequency	Single Outcome Agreement Outcome Number Link	Evidence held of Regular Review
			Likelihood (Probability)	Impact (Severity)	Risk Rating		Likelihood (Probability)	Impact (Severity)	Residual Risk Rating				
			L	I	L x I		L	I	L x I				
H&E 34	Insufficient funding available to deliver Affordable Housing Policy leading to decrease in affordable housing delivered, in particular social rented housing.	Review Affordable Housing Policy Priority will be given to delivering affordable housing on strategic sites.	5	2	10	Review Affordable Housing Policy in line with finance available to produce a deliverable Policy.	1	1	1	Head of Housing and Environment Housing Strategy and Development Service Manager	September 2013	10	
Original date produced (V1)	10th November 2011											Risk Score	Overall Rating
File Name	CH&PM Risk Register											20-25	Very High
Original Author(s)	Scott Kennedy, Risk Officer											10-19	High
Current Revision Author(s)	Scott Kennedy, Risk Officer											5-9	Medium
												1-4	Low
Version	Date	Author(s)	Notes on Revisions										
1	10/11/2011	S Kennedy								Original Version			
2	19/11/2012	S Kennedy	Updated following Senior Management Restructure and update to Corporate Risk Register and Risk Strategy										
3	09/01/2013	S Kennedy	Housing Standards Risk Updated and Register updated following Risk Group meeting										
4	03/04/13	S Kennedy	Policy and Projects Risks updated. Housing Strategy & Development Risks updated. Building Standards updated.										
5	May 2013	S Kennedy	Antisocial Behaviour Risks updated and unit title changed to Safer Communities. Environmental Health & Trading Standards Risks updated. Welfare Reform risks updated by C McCorry. Homelessness Risks updated by I Patterson. Projects, Estates and Asset Management Risks updated by L McLean.										

Appendix 2
East Lothian Council
Risk Matrix

Likelihood Description

Likelihood of Occurrence	Score	Description
Almost Certain	5	Will undoubtedly happen, possibly frequently >90% chance
Likely	4	Will probably happen, but not a persistent issue >70%
Possible	3	May happen occasionally 30-70%
Unlikely	2	Not expected to happen but is possible <30%
Remote	1	Very unlikely this will ever happen <10%

Impact Description

Impact of Occurrence	Score	Description						
		Impact on Service Objectives	Financial Impact	Impact on People	Impact on Time	Impact on Reputation	Impact on Property	Business Continuity
Catastrophic	5	Unable to function, inability to fulfil obligations.	Severe financial loss (>5% budget)	Single or Multiple fatality within council control, fatal accident enquiry.	Serious - in excess of 2 years to recover pre-event position.	Highly damaging, severe loss of public confidence, Scottish Government or Audit Scotland involved.	Loss of building, rebuilding required, temporary accommodation required.	Complete inability to provide service/system, prolonged downtime with no back-up in place.
Major	4	Significant impact on service provision.	Major financial loss (3-5% budget)	Number of extensive injuries (major permanent harm) to employees, service users or public.	Major - between 1 & 2 years to recover pre-event position.	Major adverse publicity (regional/national), major loss of confidence.	Significant part of building unusable for prolonged period of time, alternative accommodation required.	Significant impact on service provision or loss of service.
Moderate	3	Service objectives partially achievable.	Significant financial loss (2-3% budget)	Serious injury requiring medical treatment to employee, service user or public (semi-permanent harm up to 1yr), council liable.	Considerable - between 6 months and 1 year to recover pre-event position.	Some adverse local publicity, limited damage with legal implications, elected members become involved.	Loss of use of building for medium period, no alternative in place.	Security support and performance of service/system borderline.
Minor	2	Minor impact on service objectives.	Moderate financial loss (0.5-2% budget)	Lost time due to employee injury or small compensation claim from service user or public (First aid treatment required).	Some - between 2 and 6 months to recover.	Some public embarrassment, no damage to reputation or service users.	Marginal damage covered by insurance.	Reasonable back-up arrangements, minor downtime of service/system.
None	1	Minimal impact, no service disruption.	Minimal loss (0.5% budget)	Minor injury to employee, service user or public.	Minimal - Up to 2 months to recover.	Minor impact to council reputation of no interest to the press (Internal).	Minor disruption to building, alternative arrangements in place.	No operational difficulties, back-up support in place and security level acceptable.

Risk	Impact				
	None (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Almost Certain (5)	5	10	15	20	25
Likely (4)	4	8	12	16	20
Possible (3)	3	6	9	12	15
Unlikely (2)	2	4	6	8	10
Remote (1)	1	2	3	4	5

Key

Risk	Low	Medium	High	Very High
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